

## Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY LILONGWE

AMEMBASSY GABORONE

AMEMBASSY KIGALI

AMEMBASSY LOME

AMEMBASSY MAPUTO

AMEMBASSY MASERU

AMEMBASSY MBABANE

AMEMBASSY OUAGADOUGOU

AMEMBASSY PORT LOUIS

S E C R E T STATE 165144

E.O. 11652: GDS

TAGS:XA

SUBJECT: CURRENT FOREIGN RELATIONS: ISSUE NO. 26, JULY 2,  
1976

1. THE FOLLOWING IS AF'S CONTRIBUTION TO ISSUE NO. 26  
OF CURRENT FOREIGN RELATIONS FOR POST INFORMATION. FULL  
TEXT OF CFR BEING POUCHED PER REGULAR SCHEDULES.

2. BEGIN QUOTE:

AF - SECRETARY KISSINGER'S MEETING WITH THE SOUTH AFRICAN  
PRIME MINISTER (CONFIDENTIAL)

SECRETARY OF STATE KISSINGER MET WITH SOUTH AFRICAN PRIME  
MINISTER B. J. VORSTER FOR DISCUSSIONS ON THE SITUATION  
IN SOUTHERN AFRICA ON JUNE 23-24 IN BAVARIA. ALL ASPECTS

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OF THE SOUTHERN AFRICAN SITUATION WERE DISCUSSED, INCLUD-

ING NAMIBIA, RHODESIA AND SOUTH AFRICA ITSELF. HOWEVER, NO CONCRETE CONCLUSIONS WERE REACHED. THE DEPARTMENT SPOKESMAN INDICATED AFTERWARDS THAT VORSTER WOULD DISCUSS THESE MATTERS WITH HIS CABINET AND THAT ASSISTANT SECRETARY OF STATE FOR AFRICAN AFFAIRS SCHAUFELER WOULD GO TO AFRICA TO BRIEF CERTAIN LEADERS THERE ON THE TALKS. HE INDICATED THERE WOULD BE FURTHER DISCUSSIONS WITH THE

SOUTH AFRICANS, PROBABLY THROUGH DIPLOMATIC CHANNELS.

AFRICAN REACTION CAUTIOUS AND MUTED: MOST BLACK AFRICAN STATES HAVE ADOPTED A MUTED, WAIT-AND-SEE ATTITUDE TOWARD THE TALKS, IN WHICH A WILLINGNESS TO GIVE THE US SOUTHERN AFRICAN INITIATIVE A CHANCE IS MIXED WITH SKEPTICISM ABOUT THE PROSPECTS OF OBTAINING SOUTH AFRICAN GOVERNMENT COOPERATION IN SOLVING RACIAL PROBLEMS. SKEPTICISM ON THIS SCORE WAS IN NO DOUBT INTENSIFIED BY THE OUTBREAK IN SOWETO AND OTHER SOUTH AFRICAN TOWNSHIPS THE WEEK BEFORE THE KISSINGER/VORSTER MEETING OF THE WORST VIOLENCE IN RECENT SOUTH AFRICAN HISTORY (CFR ISSUE NO. 25).

ALTHOUGH MANY KEY LEADERS IN AFRICA ARE GIVING US THE BENEFIT OF THE DOUBT, SUSPICION OF OUR MOTIVES VIS-A-VIS SOUTH AFRICA STILL LINGERS. IT IS EXPLICIT IN RADICAL PROPAGANDA, AND NOT FAR BENEATH THE SURFACE IN MUCH OF THE THIRD WORLD. WITH THIS IN MIND WE ARE EMPHASIZING THAT THE TALKS WITH VORSTER TOOK PLACE AFTER THE SECRETARY CONSULTED WITH A NUMBER OF KEY AFRICAN LEADERS, SEVERAL OF WHOM EXPRESSED THE VIEW THAT SOUTH AFRICA COULD PLAY A CRUCIAL ROLE IN THE FUTURE EVOLUTION OF SOUTHERN AFRICA. THESE CONVERSATIONS ARE BUT ONE PART OF AN EFFORT TO TALK TO ALL SIDES WITH THE HOPE OF BRINGING ABOUT A PEACEFUL EVOLUTION AWAY FROM RACIAL DISCRIMINATION IN SOUTHERN AFRICA. THEY IN NO WAY SIGNIFY ANY ALTERATION IN OUR OPPOSITION TO SOUTH AFRICA'S SYSTEM OF INSTITUTIONALIZED DISCRIMINATION. THIS POSITION WAS CLEARLY ENUNCIATED BY SECRETARY KISSINGER IN HIS LUSAKA SPEECH ON SOUTHERN AFRICA (APRIL 27) AND MOST RECENTLY REITERATED IN OUR SUPPORT OF THE UN RESOLUTION ON THE RACIAL RIOTS IN SOUTH AFRICA.

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AF - ANGOLA: AMERICAN MERCENARY GETS DEATH SENTENCE  
(CONFIDENTIAL)

ON JUNE 28, AN ANGOLAN COURT CONVICTED AND SENTENCED THE 13 MEN WHOM IT HAD FOUND GUILTY OF MERCENARY ACTIVITIES. AMERICAN CITIZEN DANIEL GEARHART, AND THREE BRITISH CITIZENS, RECEIVED A DEATH SENTENCE. THE OTHERS, INCLUD-

AMERICAN GARY ACKER AND US RESIDENT GUSTAVO GRILLO, WERE GIVEN LONG PRISON TERMS. THE ONLY DISTINCTION DRAWN BY THE ANGOLANS BETWEEN GEARHART, GRILLO AND ACKER WAS THAT GEARHART HAD PUBLICLY ADVERTISED HIS SERVICES AS A MERCENARY. THE SENTENCES ARE TO BE REVIEWED AUTOMATICALLY BY ANGOLAN PRESIDENT NETO, WHO REPORTEDLY, WILL ANNOUNCE HIS DECISION AFTER HE HAS HAD AN OPPORTUNITY TO STUDY THE INTERNATIONAL REACTION.

US POSITION: WE HAVE STATED PUBLICLY THE USG POSITION THAT A DEATH SENTENCE OR OTHER SEVERE PENALTY IS IN NO WAY WARRANTED BY THE CHARGES AGAINST GEARHART, ACKER AND GRILLO, BASED ON APPLICABLE INTERNATIONAL LAW AND THE FACTS PRESENTED DURING THE TRIAL. UNDER THE 1949 GENEVA CONVENTIONS ON THE PROTECTION OF WAR VICTIMS, THESE MEN ARE ENTITLED TO HUMANE TREATMENT, WITHOUT ANY ADVERSE DISTINCTION. MOREOVER, NO EVIDENCE WAS PRESENTED INDICATING THAT THEY HAD HARMED ANYONE, WHEREAS TWO OF THE BRITISH SUBJECTS SENTENCED TO DEATH CONFESSED TO EXECUTING 14 FELLOW BRITISH MERCENARIES. GEARHART, GRILLO AND ACKER APPARENTLY HAD BEEN IN ANGOLA LESS THAN A WEEK AND MAY NEVER HAVE FIRED THEIR WEAPONS.

WE BELIEVE THAT THE DEATH SENTENCE FOR GEARHART IS POLITICALLY MOTIVATED, THAT THE ANGOLANS ARE SEEKING TO PRESENT THE USG, ALONG WITH THE BRITISH GOVERNMENT, AS BEING BEHIND THE RECRUITMENT OF MERCENARIES. FOR OUR PART, WE ARE USING ALL APPROPRIATE DIPLOMATIC AND PRIVATE CHANNELS, INCLUDING GOVERNMENTS WHICH HAVE REPRESENTATIVES IN LUANDA, TO MAKE OUR VIEWS KNOWN TO PRESIDENT NETO BEFORE HE MAKES THE FINAL DECISION ON THE SENTENCES. KISSINGER

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